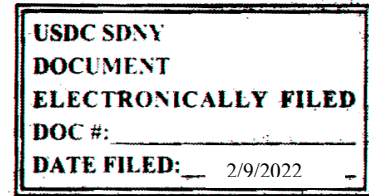


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARINA RAKHMAN,

Plaintiff,

20-CV-10135 (JGK)(SN)

-against-

ORDER

AMAZON.COM LLC,

Defendant.

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SARAH NETBURN, United States Magistrate Judge:

This order addresses two outstanding issues: (1) the failure of Plaintiff to timely serve her expert report; and (2) Plaintiff's complaints regarding alleged discovery deficiencies. See ECF Nos. 23, 24, 25 and 27.

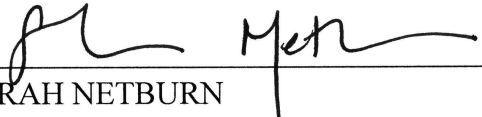
Plaintiff's expert report was due on December 30, 2021. ECF No. 17. Despite having previously identified an expert in responses to Defendant's discovery demands, Plaintiff did not produce an expert report by that date. Plaintiff further did not seek an extension of time to serve a late report, and Defendant never raised the issue despite having notice of Plaintiff's intentions. When Defendant did raise a question regarding the missing expert report on January 28, 2022, Plaintiff immediately provided it, suggesting the failure to serve was inadvertent, and not a delay tactic. See also ECF 23 at 3 (the expert report is dated March 19, 2021).

Defendant seeks to strike Plaintiff's expert report. In the alternative it seeks leave to serve a supplemental report after Defendant has deposed Plaintiff's expert, and that Plaintiff pay all "reasonable expenses." ECF No. 23. The relief Defendant seeks does not fit the crime. Defendant has received Plaintiff's expert report and should serve any rebuttal report by February 28, 2022.

Depositions of expert witnesses should be completed no later than March 18, 2022. The deadline to file motions for summary judgment or to exclude experts shall be filed no later than April 22, 2022, with opposition briefs due May 23, 2022, and reply briefs due June 6, 2022. All other requests for relief, including for reasonable expenses, are denied.

Separately, Plaintiff contends that Defendant has failed to produce responsive discovery. Many of these issues were previously raised at the Court's January 19, 2022, conference. Having reviewed Defendant's February 3, 2022, letter in response, the Court is satisfied that Defendant has complied with its discovery obligations and no further relief is required.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: New York, New York
February 9, 2022